**BILL ANALYSIS**

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| Senate Research Center | S.B. 379 |
| 89R4916 AND-D | By: Middleton |
|  | Health & Human Services |
|  | 2/20/2025 |
|  | As Filed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

There are concerns that many of the foods purchased through the state's SNAP program lack nutritional value and that this is contributing to the state's obesity epidemic. With a few exceptions, current statute and rules allow SNAP benefits to be used to purchase nearly any food item. S.B. 379 seeks to address the issue by preventing SNAP benefits from being used to purchase food and drinks that provide little-to-no nutritional value. The bill enumerates goods that are ineligible for purchase with SNAP benefits.

As proposed, S.B. 379 amends current law relating to prohibiting the purchase of certain food and drink items under the supplemental nutrition assistance program.

**RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Subchapter A, Chapter 33, Human Resources Code, by adding Section 33.031, as follows:

Sec. 33.031. PURCHASE OF CERTAIN FOOD AND DRINK ITEMS PROHIBITED UNDER SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM. (a) Defines "energy drink," "milk product," and "sweetened beverage."

(b) Prohibits a recipient of supplemental nutrition assistance program benefits, except as provided by Subsection (c), from using those benefits to purchase:

(1) an energy drink;

(2) a sweetened beverage;

(3) a carbonated beverage;

(4) candy ordinarily packaged and sold for consumption without further preparation;

(5) potato or corn chips ordinarily packaged and sold for consumption without further preparation; or

(6) cookies ordinarily packaged and sold for consumption without further preparation.

(c) Provides that the prohibition under Subsection (b) does not apply to the purchase of:

(1) a milk product or a product, other than an energy drink, containing milk or a milk protein;

(2) a milk substitute, including soy milk, rice milk, or almond milk;

(3) a beverage, other than an energy drink or carbonated beverage, in which the only added sweetener does not add calories to the beverage;

(4) a beverage intended by the manufacturer for consumption by an infant that is commonly referred to as "infant formula";

(5) a beverage, other than a carbonated beverage, intended by the manufacturer for use for weight reduction;

(6) a fruit or vegetable juice, other than a carbonated beverage, to which no sugar has been added;

(7) a beverage or other product, other than a carbonated beverage, intended for use as recommended by a health care professional, as defined by Section 247.067 (Health Care Professionals), Health and Safety Code;

(8) a beverage or other product, other than a carbonated beverage, that contains plant protein sources; or

(9) a product, other than an energy drink or carbonated beverage, that is fortified with a vitamin or mineral and contains a source of protein.

SECTION 2. Requires a state agency, if necessary for implementation of a provision of this Act, to request a waiver or authorization from a federal agency, and authorizes a delay of implementation until such a waiver or authorization is granted.

SECTION 3. Effective date: September 1, 2025.